

## 2006 ANNUAL REPORT OF THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

### **The Russian Federation**

Since the Commission expressed strong concern in its May 2003 report that the Russian government was retreating from democratic reform and endangering significant gains on human rights, including freedom of religion or belief, it has become increasingly clear that this is a deliberate policy of the Russian government. Curtailments of media freedom and of the role of political parties, the placement of tighter restrictions on religious communities, non-governmental organizations, and other aspects of civil society, and the harassment of human rights organizations, as well as legal restrictions on freedom of assembly, constraints on the use of popular referenda, and President Vladimir Putin's decision to end the popular election of regional governors, have all revealed that progress toward democracy is being halted, if not reversed. The deterioration in conditions for religious freedom and other human rights appears to be a direct consequence of the increasingly authoritarian nature of the Russian government and the growing influence of chauvinistic groups in Russian society, which seem to be tolerated by the government. The country's progress toward the rule of law and protection of religious freedom and other human rights is now in peril.

Despite the setbacks in the past year, it can still be said that the practice of religion in Russia today, particularly for the individual, is freer than during the Soviet period, when atheism was the strictly enforced state policy and religious expression was harshly repressed. Nevertheless, advancements in religious freedom protections that emerged in the period immediately after the fall of the Soviet Union are now in danger of being reversed. A January 2006 law regulating non-commercial organizations allows Russian government officials to attend meetings of any registered religious community and provides for increased controls on foreign donations, which will likely hamper the charitable and other activities of religious groups. Although the number of violent incidents has not increased, there has been a noticeable rise in the number of anti-Semitic sentiments expressed in official government circles as well as the media. In addition, there has been a significant increase in allegations of official discrimination against, as well as harassment, detention and imprisonment of, members of the country's numerous Muslim communities, incidents in which religious identification is believed to play a growing role.

In 1997, Russia passed a new law on religion. Requiring registration at both federal and local levels, the law creates difficulties for previously unregistered as well as new religious groups. Religious groups that have taken their cases to court to overturn denials of registration have often been successful; however, administrative authorities have sometimes proved unwilling to implement court decisions. In addition, Russian authorities have denied registration to certain religious communities based on the allegedly insufficient time they have existed, despite a 2002 Russian Constitutional Court decision that an active religious organization registered before the 1997 law could

not be deprived of legal status for failing to re-register. According to the State Department, a January 2006 amendment to the law requires that all registered local religious organizations notify the Federal Registration Service (FRS) within 36 hours of any change in its leadership or legal address. If a local organization twice fails to meet this requirement, the FRS may file suit with a court to have it dissolved.

At the federal level, the vast majority of religious organizations have been registered under a liberal interpretation of the 1997 law by federal officials and the Russian Constitutional Court. There have been several noticeable exceptions. The March 2004 Moscow court decision banning the Jehovah's Witnesses in that city, upheld on appeal, marked the first time that a national religious organization in Russia had a local branch banned under the 1997 law, even though 135,000 Jehovah's Witnesses practice their faith in registered communities in many other parts of Russia. The Salvation Army has not been re-registered, despite a Constitutional Court ruling that overturned the government's decision not to register the organization in Moscow. Local officials sometimes either refused outright to register groups or created prohibitive obstacles to registration; a lack of specific guidelines to accompany the 1997 law and the shortage of knowledgeable local officials contributed to the problem. In the past year, there were a number of reports that the Procurator General encouraged local prosecutors to challenge the registration of some religious groups deemed "non-traditional" to Russia. In addition, some Muslim clerics have reported that it has become more difficult to register new Muslim communities. For example, registration has been arbitrarily denied to 39 of the Stavropol region's 47 mosques.

A number of minority religious groups continue to report difficulties in obtaining permission to build houses of worship, since local government officials often create barriers. Roman Catholics, Protestants, Old Believers, Molokans (an ancient Orthodox sect), and Muslims have reported problems in acquiring land for new buildings, as have other alternative Orthodox communities. Religious groups seen as non-traditional to Russia face particular difficulties. For example, in November 2005, Moscow authorities overturned their decision to allot land for the building of a Hare Krishna temple and in 2006 the community lost its appeal of that decision. In other cases, local authorities have been responsive to the needs of a religious community. For example, following protests in June 2005, the Moscow Department for Building Policy reportedly ordered that land be found for the Emmanuel Pentecostal Church to build a center. For Muslims, the situation is mixed. In majority Muslim areas, the local government often funds the building of new mosques; in Tatarstan, the local government has funded the building of 1,000 new mosques and several dozen Islamic schools. In areas where the Muslim population is new or in the minority, however, the community may face difficulties in building or operating places of worship. In October 2005, in the city of Nalchik, capital of Karbardino-Balkariya in the north Caucasus, the regional governor closed six of the seven mosques in that city and allowed the remaining mosque to open for only a few hours a week. In the regional capital of Astrakhan, local authorities have ordered the demolition of a mosque they initially helped fund. The case is apparently going to the Supreme Court.

The Russian Orthodox Church (ROC), which has played a special role in Russian history and culture, enjoys a favored status among many Russian government officials, a situation that sometimes results in restrictions on other religious communities. The ROC receives the overwhelming majority of various forms of state support, including subsidies for the construction of churches, although other religious communities also sometimes benefit. The ROC also has agreements with a number of government ministries on guidelines for public education, religious training for military personnel, and law enforcement decisions. Early in 2006, a bill was introduced to allow only clergy from the ROC to serve as official military chaplains. Members of registered Protestant communities in distant areas claim that they do have some access to military personnel that varies by region; however, the authorities generally prohibit Muslim services at military facilities.

ROC officials sometimes use their influence with regional authorities to restrict the activities of other religious groups. There are frequent reports, particularly on the local level, that minority religious communities must secure permission from the ROC before being allowed to build, buy, or rent a house of worship and that local authorities sometimes deny registration to minority groups at the behest of local ROC officials. In July 2005, reportedly in response to pressure from officials of the local ROC, the Sverdlovsk Regional Railway canceled a three-day congress of 5,000 Jehovah's Witnesses, due to be held in a railway-administered stadium.

Due to their perceived links to the decade-long conflict in Chechnya and acts of terrorism worldwide, Muslims throughout Russia in 2005 increasingly became the targets of widespread discrimination, media attacks, and occasional acts of violence. In many of these incidents, there is growing concern among human rights organizations in Russia that religion has been a major factor. In February 2003, the Russian Supreme Court reportedly met in secret and banned 15 Muslim groups because of their alleged ties to international terrorism. The evidence on which the Court made this decision has never been made public, but police, prosecutors, and courts reportedly have used the decision to arrest and imprison individuals from among Russia's estimated 20 million Muslims. Persons suspected by local police of involvement in alleged Islamic extremism have reportedly been subjected to torture and ill-treatment in pre-trial detention, prisons, and labor camps. There are as many as 200 cases of the imprisonment of Muslims on what are apparently fabricated criminal charges of possession of weapons and drugs.

After the 2004 hostage-taking in Beslan, police actions against Muslims in the North Caucasus intensified. The Russian human rights group Memorial described most cases against Muslims in that region as "trumped-up." Nine female Muslim students at the Kabardino-Balkariya State University reportedly were detained in June 2005 and interrogated for wearing the *hijab* and engaging in group study of the Quran. Mosque closings in Nalchik in October 2005 resulted in violence in which some 300 attackers targeted military garrisons and police stations, leaving 34 police and armed forces members dead. Following this incident, police harassment of Muslim clerics and torture of alleged militants reportedly increased. According to the State Department, the head of the Islamic Research Institute in Nalchik, who sought to promote dialogue between

the authorities and Muslims, is reported to have disappeared in November 2005, after interrogation by the Federal Security Service. The Russian government continues to refuse to make a serious effort to address reports of chronic human rights abuses in Chechnya, reportedly carried out by the Russian military, Chechen government forces, and Chechen rebel fighters. Despite entreaties from the U.S. State Department, Russian authorities have not sought negotiations to find a political solution to the decade-long war in Chechnya.

Many in Russia's Jewish community state that despite some continued problems, conditions for the country's Jews have generally improved, because, unlike in the Soviet period, the state no longer acts as an official sponsor of anti-Semitism. In 2005, construction began on a Jewish community building complex on land donated by the city of Moscow, which will include a school, a hospital, and a new museum of Russian Jewry, the Holocaust, and religious tolerance.

Nevertheless, anti-Semitic acts, including public pronouncements as well as vandalism and physical attacks, continue, particularly in Russia's western regions. In January 2005, 20 members of the Russian State Duma (Parliament) called on the Procurator General to ban all Jewish organizations in Russia, alleging that Jewish texts teach incitement of religious and ethnic hatred. Though the letter was later officially withdrawn, none of the signers have expressed regret for the views it expressed. In April 2005, another letter, expressing similarly virulent anti-Semitic views, was signed by 5,000 people, including many well-known Russian public figures and ROC officials. Both letters were publicly condemned by the Russian Foreign Ministry. However, a Moscow district prosecutor opened an investigation into the Jewish organization that published the translation of the letters, as well as into charges brought by Jewish and human rights organizations that the letters themselves, in promoting hatred of Jews, violated federal laws against ethnic incitement. These investigations were later closed with no charges being brought. In September 2005, Moscow airport border guards denied reentry to the rabbi of the Moscow Choral Synagogue. A Swiss citizen, he has lived in Moscow since 1989 and his family resides there. His visa status has since been resolved, after a delay of several months.

Casual anti-Semitic statements are reportedly so numerous in society that law enforcement bodies do not pay attention to them. While official investigations into anti-Semitic activity by individuals have increased, official efforts to combat chauvinist and anti-Semitic groups decreased in 2005. There was a significant exception in May 2005, when a Novgorod city court ruled that three distributors of an anti-Semitic bulletin constituted an "extremist community," as defined in criminal code Article 2821. All three defendants received conditional sentences, but were banned from distribution of mass media; one was also banned from journalism.

Anti-Semitic attacks and vandalism often go unpunished, except for high-profile incidents, such as an attack in January 2005 in Moscow on two rabbis who are U.S. citizens. The two attackers in that case were sentenced to four years and eighteen months in prison, respectively, but the court failed to find that they were motivated by hatred. In March 2006, a Moscow court sentenced a 21-year-old defendant to 13 years

in prison for the stabbing of eight men in a prominent Moscow synagogue, but found him not guilty of inciting racial hatred. The perpetrator had reportedly been reading anti-Semitic literature before committing the act. The number of reported incidents of vandalism of Jewish cultural and religious sites in 2005 was estimated to be similar to that in 2004. Anti-Semitic graffiti and property damage were reported in Moscow, Petrozavodsk, Samara, Taganrog, Vladimir, and Nizhny Novgorod. Vandalism of Jewish cemeteries or of Jewish graves was reported in Moscow, Kazan, Tver, Tambov, Pskov Oblast, St. Petersburg, and near Izhevsk.

There continue to be official efforts to portray “foreign sects,” mostly Evangelical Protestants, as alien to Russian culture and society. Officials do little to counter libelous media attacks or discrimination. Security services treat the leadership of some minority religious groups, particularly Muslims and adherents of newer religions, as security threats. Many officials in the legislative branch and in law enforcement speak of the need to protect the “spiritual security” of the country by discouraging the growth of “sects” and “cults,” usually understood to include Protestant and newer religious movements. In one case, a local official reportedly warned that non-traditional religions are used by foreign organizations to undermine the country’s security, grouping together Mormons, Jehovah’s Witnesses, the True Orthodox Church, and the New Apostle Church with such groups as Aum Shinrikyo, the Japanese group notorious for the subway gas attack in Tokyo, and Satanists. Evangelical Protestants also continued to be subject to societal violence in the past year, as churches and prayer houses were vandalized in several regions. The Slavic Law Center reported that a Baptist Church in Chelyabinsk Oblast was firebombed in April 2005. The Jehovah’s Witnesses reported two incidents in March 2006, when members were assaulted, leaving one with a concussion.

There are continued reports of difficulties for foreign religious workers in entering Russia, either to work or to visit. Catholic authorities reported a decrease in visa problems for Catholic priests in 2005, though foreign Catholic priests in the Pacific region remain unable to invite others to assist them. None of the seven foreign Catholic clergy barred by authorities from entering Russia in 2001 and 2002 has since been allowed to return to the country. The Russian authorities have not resolved a pending visa request by the Dalai Lama to visit the Republic of Tuva, although the Tibetan Buddhist leader was finally allowed to visit the traditionally Buddhist region of Kalmykia in late 2004. In the past year, the government denied entry to high-ranking British and Danish Salvation Army officials who sought to attend a church congress, reportedly on the grounds that it was not “in the interests of state security.”

In February 2005, the Commission held a joint briefing with the Kennan Institute for Advanced Russian Studies on “Russia: Religious Communities, Extremist Movements and the State” chaired by Commissioner Felice D. Gaer, at which findings were presented by experts on the current status of Muslim, Christian, and Jewish communities, as well as on increased acts of ethnic and religious extremism. Also in February, the Commission issued a press statement calling on President Bush to raise with President Putin the state of freedom of religion or belief in Russia at their then-upcoming meeting. In April 2005, the Commission held a briefing with Oleg Mironov,

the former Human Rights Ombudsman of the Russian Federation, and Mufti Ismagil Shangareev, director of the Islamic Human Rights Defense Center in Russia. Also in that month, a briefing by Lyudmila Alekseeva, head of the Moscow Helsinki Group on religious freedom and other human rights concerns in Russia, took place at Commission offices. In May 2005, the Commission co-sponsored a presentation at Radio Free Europe/Radio Liberty on religious extremism in Russia by Aleksandr Verkhovsky, director of the SOVA Center for Information and Analysis in Moscow.

In February 2006, Commissioner Elizabeth Prodromou traveled to Moscow to make a presentation on “Human Rights and Tolerance in Today’s Russia: an International View” at a conference in Moscow organized by the Russian Presidential Administration Training Academy for state officials. The conference brought together scores of national, regional, and local government officials responsible for the regulation of religious affairs in Russia. The Commission also made a similar presentation at a conference on religion in Russia at the Moscow Humanities University. During the visit, Commissioner Prodromou met with several representatives of human rights and other civil society organizations, as well as academic experts, concerned with freedom of religion and growing intolerance in Russia.

Also in February 2006, the Commission convened a public roundtable discussion at the Carnegie Endowment for International Peace entitled “Assessing U.S. Human Rights Policy Towards Russia.” The panelists at the roundtable reviewed how the U.S. government should be responding to the rollback in human rights, including religious freedom, in Russia and increasing Russian nationalism.

The Commission has advocated continued inclusion of the “Smith Amendment” in the Foreign Operations Appropriations bill. The Smith Amendment conditions foreign assistance to the Russian government if the President certifies that the Russian government has not implemented any statute, executive order, or regulation that discriminates against religious groups or religious communities, in violation of international norms on human rights and religious freedoms to which the Russian Federation is a party. Congress included this provision in the Consolidated Appropriations Act of 2005.

With regard to Russia, the Commission has recommended that the U.S. government should:

- urge the Russian government to ensure that any special role for the Orthodox Church or any other religious community does not result in violations of the rights of, or discrimination against, members of other religious groups;
- ensure that the humanitarian and human rights crisis in Chechnya remains a key issue in its bilateral relations with Russia and urge the Russian government to end, and prosecute acts of, torture, arbitrary detention, rape, and other abuses by members of the military in Chechnya;

- urge the Russian government to accept a site visit to Chechnya from the UN Special Rapporteurs on Torture, Extrajudicial Executions, and Violence Against Women;
- raise religious freedom and other human rights violations in multilateral fora, including the OSCE and the UN, and continue, on a bilateral basis, to encourage the government of Russia to agree to the request of the UN Special Rapporteur on Freedom of Religion or Belief to visit Russia;
- use every possible means to engage and support the genuine democrats in the Russian government at the federal and local levels, and ensure that U.S. aid programs are not being used to support the activities in Russia of authoritarian-minded officials;
- make clear its concern to the Russian government that hostile rhetoric against Muslims and the Islamic faith is fueling an atmosphere in which perpetrators believe they can attack Muslim or members of other religious and ethnic minorities with impunity;
- make clear its concern to the Russian government that efforts to combat terrorism should not be used as an unrestrained justification to restrict the rights, including religious freedom, of members of Russia's religious minorities;
- urge the Russian government to take all appropriate steps to prevent and punish acts of anti-Semitism, including to condemn anti-Semitic acts, to investigate and prosecute the perpetrators of violent incidents of anti-Semitism, and, while vigorously protecting freedom of expression, to counteract anti-Semitic rhetoric and other organized anti-Semitic activities;
- continue to press the Russian government to ensure that religious communities are not broadly and indiscriminately labeled as threats to Russia's national security;
- continue to urge the Russian government to cease interference in the internal affairs of religious communities, such as denials of visas and work permits to religious workers and attempted interference in the elections of religious bodies;
- urge the government of Russia to monitor the actions of regional and local officials who interfere with the right to freedom of religion or belief, take steps to bring local laws and regulations on religious activities into conformity with the Russian Constitution and international human rights standards, and bring those who commit crimes to justice;
- continue to monitor official restrictions on the activities of non-governmental organizations (NGOs), including the implementation of the recently enacted law on NGOs, and to oppose such restrictions that constitute violations of international norms;

- advance human rights, including religious freedom, in Russia by continuing to provide assistance, as appropriate, to NGOs, public interest groups, journalists, and academic institutions, and by expanding programs aimed at encouraging religious tolerance and supporting international standards on freedom of religion and other human rights;
- include the promotion of freedom of religion or belief as a category for U.S. Embassy small grants proposals; and
- consider providing funds to non-governmental programs on international and Russian legal commitments to protect freedom of religion or belief as well as promote tolerance. Such programs should include training of religious affairs officials, court officials, and lawyers; media monitoring; journalism training; and conferences of academic specialists, representatives of civil society and religious communities and government officials.